

Local Planning Policy No.44

Significant Trees

Adopted: XX Month Year

Amended: XX Month Year

1. Citation

This Local Planning Policy is prepared under Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. This Policy may be cited as Local Planning Policy 44 'Significant Trees'.

2. Introduction

The Town of Victoria Park has a number of trees that hold special aesthetic, social, environmental and/or cultural value to the community. Inclusion of these trees on the Town of Victoria Park Significant Tree Register acknowledges their value and can also provide them with a level of statutory protection to encourage their ongoing conservation and care.

The Town's Local Planning Scheme contains supplementary provisions to the Deemed Provisions where the Town may prepare a significant tree register to identify trees that are worthy of preservation. The significant tree register must set out the description of each tree, its location and the reason for its entry in the significant tree register.

Once a tree is entered in the significant tree register the Town may require assessment or certification by an arboriculturist to be carried out prior to the determination for development approval for land which contains a significant tree.

The purpose of this policy is to outline the requirements to include or remove a tree from the Town of Victoria Park Significant Tree Register including the criteria for a tree to be considered worthy of inclusion.

3. Objectives

The objectives of this policy are to:

- a) To identify and recognise the importance of significant trees in the Town of Victoria Park to support an increased level of protection and care.
- b) To ensure that the process and assessment of trees nominated for the Significant Tree Register is transparent, consistent and fair.

4. Scope

This policy applies to all trees within the Town of Victoria Park that could be included on the Town's Significant Tree Register.

5. Application Requirements

5.1 Nominations for entry

5.1.1 Persons can apply to nominate a tree for entry into the Town of Victoria Park Significant Tree Register subject to the following:

5.1 Nominations for trees on private land must be made by the owner/s of the land where the tree is located.

5.2 Nominations for trees on public land or Government controlled private land do not require the nominator to obtain the consent of the landowner. In instances of nominations received for trees on public land the Town will contact the government agency responsible for the land on the nominators behalf, however, the nomination will not progress without the consent of the land owner.

5.3 Nominations must set out a description of each tree including:

5.4 Photo(s)

5.5 Location

5.6 Species (if known)

5.7 Estimated age (if known)

5.8 Approximate height (in metres)

5.9 Approximate trunk diameter (in metres)

5.10 Date planted and by whom (if known)

5.1.2 Comments in support of the nomination addressing the relevant criteria set out in the requirements of this policy.

5.1.3 Any relevant supporting information (media articles, historical information etc).

5.2 Removal from the Register

5.2.1 For a tree to be removed from the Significant Tree Register the owner of the land where the tree is located must make application in writing to the Town including:

5.11 The reasons why the tree should be removed from the register.

5.12 An assessment from a qualified arborist detailing evidence and reasons why the tree should be removed from the register.

5.2.2 The Town will consider applications for trees to be removed from the Significant Tree Register where the owner demonstrates substantiated:

5.13 concerns regarding the tree's structural stability or

5.14 concerns regarding the tree's health or

5.15 evidence that the tree no longer meets the criteria for significance.

Commented [RC1]: fix clause numbering throughout this part - should be 4.1, 4.2 etc

Commented [RC2]: A bit confusing that it says any person can nominate, but then in the next sentence says only the owner. can nominate. Remove "any person".

Commented [JH3R2]: modified

Commented [DB4]: @Jack Hobbs might want to add the species (if known)

Commented [JH5R4]: added

Commented [DB6]: @Jack Hobbs this tree assessment should be required by a qualified arborist.

Commented [JH7R6]: point 5.2.1 requires an assessment from a qualified arborist to make application for removal

6. Policy Requirements

6.1 To be considered worthy of inclusion in the Significant Tree Register trees will be assessed using specific criteria for significance, as opposed to some trees being called significant purely by their presence. For a tree(s) to be considered significant they must fulfil one or more of the following criteria.

- 5.16 Environmental Value – trees which contribute to significant carbon sequestration and canopy value for thermal cooling.
- 5.17 Biological or Ecological Value – trees which are of rare species or having significant ecological or habitat or genetic value.
- 5.18 Aesthetic Value – trees which contribute significantly to streetscapes, parks, gardens or natural landscape.
- 5.19 Old Age – trees which are particularly old or venerable.
- 5.20 Commemorative – trees having associations with an important historical event.
- 5.21 Associations – trees associated with a well-known public figure or ethnic group, or for heritage or cultural reasons.

7. Assessment and Determination

7.1 The Town may advertise for new nominations for the Significant Tree Register every three years, however nominations can be accepted at any time.

7.2 The Town will not accept any nomination to enter a tree in the Significant Tree Register within three years of an unsuccessful nomination for the same tree.

7.3 Nominations assessed by the Town that qualify for registration will be referred to Council for determination on whether they are to be included on the Significant Tree Register.

8.0 Version Control & Administration

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| LPP Category | Environment |
| Responsible Service Area | Urban Planning |
| Adoption Date | To be confirmed 'Council Item #' |
| Review Date(s) | Not applicable |
| Next Review Date | To be confirmed (4 years from last review) |

Commented [DB8]: @Jack Hobbs carbon sequestration, biological and ecological value, canopy value, should be a prominent part of the criteria. This should be more environmental focused than cultural and aesthetic.

Commented [JH9R8]: noted. adjustment to naming and ordering of criteria to reflect.

Commented [DB10R8]: @Jack Hobbs add environmental value - carbon sequestration and canopy cover

Commented [JH11R8]: I'm probably being dumb here but would that not just repeat 'a'? could 'a' instead to be titled 'Ecological or Environmental Value'?

Commented [JH12R8]: scrap that. read back your initial comment. have retitled the first criteria 'environmental value' and the second criteria combine 'ecological and biological value' does that work better?

Commented [DB13R8]: @Jack Hobbs I made a few edits to clarify the criteria.

Commented [JH14R8]: @Deniqua Boston nice one. thanks